

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
TERRE HAUTE DIVISION

DEMETRIUS HILL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 2:21-cv-00110-JPH-DLP
	)	
COUNTER TERRORISM UNIT,	)	
BOP DIRECTOR,	)	
PROG. DIV. ASST. DIRECTOR,	)	
IAN CONNERS,	)	
KRUGER,	)	
BRADLEY,	)	
ALL KNOWN AND UNKNOWN BOP STAFF,	)	
	)	
Defendants.	)	

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**ENTRY RESCINDING GRANT OF *IN FORMA PAUPERIS* STATUS  
AND DIRECTING PLAINTIFF TO PAY BALANCE OF FILING FEE**

The Order of March 4, 2021, dkt. [19], is **rescinded to the extent** that the Court allowed the plaintiff to proceed *in forma pauperis* in this case.

Plaintiff Hill is a prisoner who has filed at least three suits or appeals which have been dismissed as frivolous, malicious, or for failure to state a claim. This renders him ineligible to proceed *in forma pauperis*. 28 U.S.C. § 1915(g). The narrow exception to the barrier created by § 1915(g) where a prisoner alleges that he "is under imminent danger of serious physical injury" does not apply to the claims asserted in the amended complaint. Mr. Hill alleges that his right to exercise his religious freedom has been violated.

In *Evans v. Illinois Department of Corrections*, 150 F.3d 810 (7th Cir. 1998), it was noted that a prisoner-litigant in these circumstances is entitled to know the cases the Court relies on when making the three-strikes determination. For Mr. Hill's reference, the cases on which the Court relies in finding three or more "strikes" consist of the following:

*Hill v. New York Post, et al.*, No. 10-pr-3584 (2d Cir. Jan. 31, 2011) (dismissing appeal as lacking an arguable basis in law or fact, frivolous);

*United States v. Hill*, No. 10-cr-1218, (2d Cir. Sept. 30, 2010) (dismissing appeal as lacking an arguable basis in law or fact, frivolous); and

*Hill v. Lappin, et al.*, 1:09-cv-1637-CLS-RRA (N.D. Ala. April 30, 2010) (dismissed for failure to state a claim pursuant to 28 U.S.C. § 1915A(b)).

Mr. Hill is specifically **notified** pursuant to *Sloan v. Lesza*, 181 F.3d 857, 859 (7th Cir. 1999), that, because he has accumulated three strikes and is now being informed that 28 U.S.C. § 1915(g) applies to him, if he files another action in this District without prepayment of the entire filing fee and seeks to proceed *in forma pauperis*, the new action will be immediately terminated.

Mr. Hill shall have **through June 21, 2021**, in which to pay the remaining balance of the \$402.00 filing fee for this action, which is \$381.92. Failure to do so will result in dismissal of the action without further notice.

**SO ORDERED.**

Date: 5/17/2021



James Patrick Hanlon  
United States District Judge  
Southern District of Indiana

Distribution:

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